

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Berkley National Insurance Company,)
)
Plaintiff,)
v.)
)
)
)
)
)
XTO Energy, Inc.,)
)
Defendant, Counter-Plaintiff)
and Third-Party Plaintiff,)
)
v.)
)
)
Commerce and Industry Insurance)
Company, Torus National Insurance)
Company, n/k/a Starstone National)
Insurance Company, and Seneca Specialty)
Insurance Company,)
)
Third-Party Defendants.)

**ORDER GRANTING IN PART
AND DENYING IN PART
MOTION TO AMEND
SCHEDULING PLAN**

Case No. 1:18-cv-195

Before the Court is Plaintiff's Agreed Motion to Amend Scheduling and Discovery Plan. (Doc. No. 62). The parties jointly request that certain scheduling order deadlines be amended.

At this time, the Court **GRANTS IN PART** and **DENIES IN PART** the requested relief. While not replacing the current deadlines with the proposed language in the parties' stipulation, the Court will suspend the relevant scheduling order deadlines, listed below:

1. Filing of discovery motions on issues of claims handling, complete Rule 30(b)(6); depositions, and parties without burden of proof designate experts;
2. Rebuttal experts;
3. Parties complete expert depositions; and

4. Parties file dispositive motions.

Within 14 days of a ruling on the pending motions for summary judgment (Doc. Nos. 72, 81, 84), the parties shall file a stipulation providing dates certain for the suspended deadlines.

The trial, currently scheduled for January 25, 2021, and final pretrial conference, currently scheduled for January 12, 2021, are continued and will be rescheduled at a later date.

IT IS SO ORDERED.

Dated this 24th day of April, 2020.

/s/ Clare R. Hochhalter
Clare R. Hochhalter
United States Magistrate Judge